

**RESOLUTION OF FINDINGS AND CONCLUSION
BOARD OF ADJUSTMENT
BOROUGH OF RUMSON
BLOCK 33, LOT 25**

WHEREAS, DANIEL and EMILY MEE have applied to the Board of Adjustment of the Borough of Rumson for permission to construct a new two-story rear addition at the existing premises located at 53 Allen Street and known as Block 33, Lot 25 on the Tax Map of the Borough of Rumson, and which premises are in the R-5 Zone; and

WHEREAS, on November 16, 2021, at a meeting of the Board, due notice having been given the adjoining property owners and published in accordance with N.J.S.A. 40:55D-12 as appears by affidavits filed with the Board, and a quorum being present, the aforementioned application was heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and the public, including site/architectural plans by A. Condouris, Architect, Sheets V1, V2, V3, all dated 8/16/21, and Administrative Officer Data Sheet has made the following factual findings:

1. The property is an existing 1513 s.f. single-family house and a small, detached shed/garage located on a 5523 s.f. rectangular lot having 50 feet frontage on Allen Street and depth of 110.5 feet. The property is undersized in minimum lot area (6000 s.f. required, 5523 s.f. existing). The existing house is nonconforming in minimum building setback (35 feet required, 22.1 feet existing) and minimum front porch setback (30 feet required, 19 feet existing). The existing shed/garage is nonconforming in minimum garage area (260 s.f. required, 196 s.f. existing) and accessory building setback (5 feet required, 1.8 feet existing). The applicant proposes to construct a partial second floor addition and a partial two story addition on the rear of the house, as shown on the plans. The new construction will create a nonconformity in maximum building coverage (1262 s.f. permitted, 885 s.f. existing, 1342 s.f. proposed).
2. As noted, the existing lot is undersized and there is no adjacent property available. The existing house is relatively small and expansion and renovation is appropriate to enhance the appearance and utility of the property. The additional building coverage variance is relatively minimal and has been established as appropriate for the house proposed. The other nonconformities are due to the lot size/shape, which cannot be changed. No neighbors or objectors appeared.

The existing shed/garage is too small to function as a garage but serves adequately as a shed for household tools/storage. It should be noted that the paved driveway ends about the midpoint of the house, and thereafter to the rear is grass. The proposed additions/renovations appear appropriate and are compatible with the neighborhood and zone plan.

WHEREAS, based upon the foregoing testimony and findings of fact, the Board finds that with respect to the specific premises the purposes of the Land Use Act would be advanced by a deviation from the Zoning Ordinance and the requirements and the benefits of this deviation would substantially outweigh any detriment; and that the relief requested by applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Rumson and to deny the application would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the applicants.

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the Borough of Rumson on this 14th day of December, 2021 that the application of DANIEL and EMILY MEE for a variance to construct a new two-story rear addition on the existing premises in accordance with the plans as agreed to and amended and the testimony and evidence presented at the hearing, be granted upon the following conditions:

1. That this variance will be deemed to be void by abandonment if a building permit is not issued within one year from the date hereof.
2. All factual representations made on behalf of the applicants are incorporated herein as conditions of this variance.
3. The action of the Board of Adjustment in approving this application shall not relieve the applicants of responsibility for any damage caused by this project, nor does the Board of Adjustment or the Borough of Rumson accept or have any responsibility or liability for the structural design of the project or for any damage which may be caused by the project.
4. Prior to issuance of any Certificate of Occupancy the applicant must repair or replace any curb, sidewalk, or street pavement damaged, in the judgment of the Borough Administrative Officer, as part of or by reason of the construction of the project.
5. The following must be accomplished prior to the issuance of a development, zoning and/or building

permit:

- a. Evidence must be provided by the applicant that the permits and approvals listed in subsection 22-3.4a,4 of the Development Regulations have, where applicable, been obtained.
- b. Taxes must be current.
- c. If applicable, inspection fees as required by subsection 22-3.14m and n of the Development Regulations must be paid by the applicant.
- d. Any outstanding review fees or escrow deficiency must be paid.
- e. Notice must be published as required by subsection 22-3.3e,5 of the Development Regulations.

Above Resolution moved by
seconded by , and on roll call the
following vote was recorded:

In the Affirmative:

In the Negative:

Abstain:

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of the Borough of Rumson at its meeting on December 14, 2021, as copied from the Minutes of the said meeting.

DATE:

Secretary
Board of Adjustment